

## **REMARKS**

The foregoing amendment does not include the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated September 17, 2003 has been received and considered by the Applicants. Claims 1-7 are pending in the present application for invention. Claims 6 and 7 have been withdrawn. Claims 1-5 stand rejected by the September 17, 2003 Office Action.

The Abstract of the disclosure as well as pages 1-3 of the specification have been objected to because of informalities. The foregoing amendment to the specification has corrected these oversights.

The drawings are objected to because they do not contain appropriate legends. Specifically, FIG. 2 is objected to for not containing the legend designating FIG. 2 as Prior Art. A redlined version of FIG. 2 is submitted with this response to correct this oversight.

The Office Action rejects Claim 1 under the provisions of 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is objected to because it recites "ore" instead of "or" and the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. This has been corrected by the foregoing amendment to the claims.

The Office Action rejects Claims 1-5 under the provisions of 35 U.S.C. 102(b) as being anticipated by JP 2000100562 issued to Fukayama et al. (hereinafter referred to as Fukayama). The Applicant assumes that the Examiner is referring to Japanese Publication Number 2000100562 in the name of Norihiro (hereinafter referred to as Norihiro). The Examiner states that Norihiro discloses all the features of the invention including the channel (10) as recited by the rejected claims to the present invention. The foregoing amendment to the claims has amended claim 1 to more clearly define the invention. As recited by the amended claims, recited channel 10 is defined as being open

to the cavity (8). The Applicants, respectfully, assert that the foregoing amendment to the claims clearly distinguishes the claims over Norihiro.

New claims 8-20 have been added. Newly added claim 8 and 9 relate to the above discussed claims and further narrow and define these claims. Therefore, new claims 8 and 9 are believed to be allowable. Newly added claims 10-20 define the channel (10) as allowing pressure inside the cavity (8) to escape into the channel during manufacturing of the device, which is not disclosed or suggested by the teachings of Norihiro.

Accordingly, newly added claim 10-20 are believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

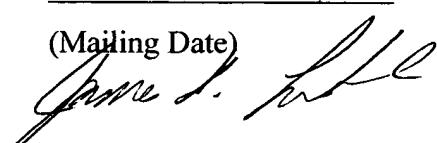
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Non-Fee Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: December 17, 2003

(Mailing Date)



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